

**AMENDMENT TO THE CLAIMS**

1-2. (Cancelled)

3. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 2, wherein a database is provided, said database containing at least one decision rule, comprising the steps of ~~wherein a plurality of decision rules in said database are identified in step (b1) as being associated with said product selection, and wherein the step of choosing comprises:~~

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer by:

(b1) identifying a plurality of decision rules in said database that are associated with said product selection,

(b2) if no decision rule in said database is associated with said product selection, then, determining that said product selection does not qualify for an alternate product offer,

(b3) if at least one decision rule in said database is associated with said product selection, then, (i) choosing one of said plurality of decision rules according to a predetermined rule selection hierarchy, and, determining from said chosen decision rule whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

4. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising ~~wherein step (b) includes the steps of:~~

- (a) receiving a product selection from the customer;  
(b) determining whether said product selection qualifies for an alternate product offer by:
- (b1) choosing an alternate product,  
(b2) determining an acceptance rate of said chosen alternate product in relation to said product selection, and,  
(b3) determining whether said product selection qualifies for an alternate product offer based on said acceptance rate;
- (c) presenting an alternate product offer message if said product selection so qualifies;  
(d) determining if the customer has accepted said alternate product offer; and,  
(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,  
(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

5. (Previously presented) A method according to Claim 4, wherein step (b3) includes the step of:

- (i) determining that said product selection qualifies for an alternate product offer if said acceptance rate is greater than a predetermined value.

6. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, wherein there is at least one product item associated with said product selection and each of said at least one product item has an expiration date associated therewith, comprising and wherein step (b) includes the steps of:

- (a) receiving a product selection from the customer, wherein there is at least one product item associated with said product selection and each of said at least one product item has an expiration date associated therewith;  
(b) determining whether said product selection qualifies for an alternate product offer by:

- (b1) choosing an alternate product having at least one product item associated therewith,
- (b2) determining an expiration date for a predetermined one of said at least one product item associated with said alternate product, and,
- (b3) determining that said product selection qualifies for an alternate product offer if said determined expiration date of the predetermined product item is a later date than said expiration date of the predetermined alternate product item;
- (c) presenting an alternate product offer message if said product selection so qualifies;
- (d) determining if the customer has accepted said alternate product offer; and,
- (e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,
- (f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

7. (Original) A method according to Claim 6, wherein said predetermined one of said at least one product item associated with said alternate product is a next vendible product item.

8. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (b) includes the steps of:

- (a) receiving a product selection from the customer;
- (b) determining whether said product selection qualifies for an alternate product offer by:

- (b1) choosing an alternate product having at least one product item associated therewith, each of said at least one product item having an expiration date associated therewith,
- (b2) determining an item expiration date for a predetermined one of said at least one product item associated with said alternate product, and,
- (b3) using said item expiration date to determine whether said product selection qualifies for an alternate product offer;

- (c) presenting an alternate product offer message if said product selection so qualifies;
- (d) determining if the customer has accepted said alternate product offer; and,
- (e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,
- (f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

9. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, wherein there is at least one product item associated with said product selection, comprising and wherein step (b) includes the steps of:

(a) receiving a product selection from the customer wherein there is at least one product item associated with said product selection;

(b) determining whether said product selection qualifies for an alternate product offer by:

(b1) determining an item expiration date for a predetermined one of said at least one product item associated with said product selection, and,

(b2) using said item expiration date to determine whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

10. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, wherein there is a profit margin associated with said product selection, and, comprising wherein step (b) includes the steps of:

(a) receiving a product selection from the customer wherein there is a profit margin associated with said product selection;

(b) determining whether said product selection qualifies for an alternate product offer by:

(b1) choosing an alternate product,

(b2) obtaining a profit margin associated with said alternate product, and,

(b3) determining that said product selection qualifies for an alternate product offer if said alternate product profit margin is greater than said profit margin associated with said product selection;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

11. (Original) A method according to Claim 10, wherein there is at least one product item associated with said chosen alternate product, wherein each of said at least one product item associated with said chosen alternate product has an expiration date, and, wherein said profit margin associated with said alternate product is chosen to be a function of said expiration date.

12-14. (Cancelled)

15. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (b) includes the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer by:

(b1) determining a demand rate for said product selection,

- (b2) choosing an alternate product,
- (b3) determining a demand rate for said alternate product,
- (b4) comparing said demand rate for said product selection and said demand rate for said alternate product, and,
- (b5) determining based on said step of comparing whether said product selection qualifies for an alternate product offer;
- (c) presenting an alternate product offer message if said product selection so qualifies;
- (d) determining if the customer has accepted said alternate product offer; and,
- (e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,
- (f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

16. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (b) includes the steps of:

- (a) receiving a product selection from the customer;
- (b) determining whether said product selection qualifies for an alternate product offer by:
  - (b1) selecting an alternate product,
  - (b2) determining a demand rate for said product selection,
  - (b3) comparing said demand rate with a predetermined rate, and,
  - (b4) determining based on said step of comparing whether said product selection qualifies for an alternate product offer;
- (c) presenting an alternate product offer message if said product selection so qualifies;
- (d) determining if the customer has accepted said alternate product offer; and,
- (e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,
- (f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

17. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (b) includes the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer by:

(b1) selecting an alternate product, said alternate product having at least one product item associated therewith,

(b2) determining a number of days until expiration for a predetermined one of said at least one product item associated with said alternate product,

(b3) comparing said number of days until expiration with a predetermined number of days, and,

(b4) determining based on said step of comparing whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

18. (Cancelled)

19. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 18, wherein said offer of an incentive is an offer of a future incentive comprising the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies, wherein said alternate product offer message includes an offer of a future incentive for the customer to purchase another item;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

20-24. (Cancelled)

25. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 24, comprising the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies, wherein said alternate product offer message includes an offer of an incentive for the customer to purchase another item, wherein said offer of the incentive is an offer of a discount in price, and wherein said offer of a discount is an offer of a present discount;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

26. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 24, comprising the steps of:

(a) receiving a product selection from the customer;



(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies, wherein said alternate product offer message includes an offer of an incentive for the customer to purchase another item, wherein said offer of the incentive is an offer of a discount in price, and wherein said offer of a discount in price includes an offer of a discount for an item corresponding to said alternate product offer;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

27. (Cancelled)

28. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (f) includes the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted, by:

(f1) determining whether said product selection qualifies for a further alternate product offer,

(f2) presenting a further alternate product offer message if said product selection so qualifies,

(f3) determining if the customer has accepted said further alternate product offer, and,

(f4) dispensing a third product that corresponds to said further alternate product offer if the customer has so accepted, and,

(f5) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

29-32. (Cancelled)

33. (Currently amended) A method of automatically dispensing a product to a customer according to Claim 1, comprising wherein step (c) includes the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies, by:

(c1) selecting a plurality of products, each of said plurality of products having a profit margin associated therewith,

(c2) determining which of said associated profit margins is a largest profit margin,

(c3) identifying which of said plurality of products is associated with said largest profit margin,

(c4) selecting for presentation in an alternate product offer message any product so identified, and,

(c5) presenting said alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

34-42. (Cancelled)

43. (Previously presented) A method comprising:  
receiving a selection of a first product from a vending machine;  
presenting an offer for a second product in lieu of the first product, in which the second product is more profitable than the first product;  
determining if the customer has accepted the offer; and  
dispensing the second product if the customer has accepted the offer.

44. (Previously presented) A method comprising:  
receiving a selection of a first product from a vending machine;  
determining a profit margin of the first product;  
determining a second product that has a profit margin greater than the profit margin of the first product;  
displaying an offer to for the second product instead of the first product;  
receiving an acceptance of the offer; and  
dispensing the second product.

45-47. (Cancelled)

48. (Previously presented) A method, comprising:  
receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;  
receiving, by the vending machine, an indication of an amount of funds provided by the customer;  
determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product associated with the selected product;  
determining, by the processing device of the vending machine, an available inventory of the alternate product;

providing, to the customer and by the vending machine, in the case that it is determined that the available inventory of the alternate product is greater than a pre-defined threshold, an offer for the alternate product instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

49. (Cancelled)

50. (Currently amended) A The method of claim 49, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product offer rule associated with the selected product, wherein the alternate product offer rule comprises a rule that the selected product be associated with a demand that is greater than a pre-defined threshold for demand;

determining, by the processing device of the vending machine, that the alternate product offer rule is satisfied;

providing, to the customer and by the vending machine, an offer for an alternate product associated with the alternate product offer rule, instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

51. (Currently amended) A The method of claim 49, comprising:  
receiving, by a vending machine, an indication of a customer selection of a  
product offered for sale by the vending machine;  
receiving, by the vending machine, an indication of an amount of funds provided  
by the customer;  
determining, after the receiving of the indication of the customer selection of the  
product, and by a processor of the vending machine, an alternate product offer rule  
associated with the selected product, wherein the alternate product offer rule comprises a  
rule that the selected product be associated with an available inventory level that is lower  
than a pre-defined minimum available inventory level;  
determining, by the processing device of the vending machine, that the alternate  
product offer rule is satisfied;  
providing, to the customer and by the vending machine, an offer for an alternate  
product associated with the alternate product offer rule, instead of the selected product in  
exchange for the funds provided by the customer;  
determining, by the processing device of the vending machine, an acceptance, by  
the customer, of the offer for the alternate product; and  
dispensing, by the vending machine, and after the determination of the acceptance  
of the alternate product offer by the customer, the alternate product to the customer.

52. (Currently amended) A The method of claim 49, comprising:  
receiving, by a vending machine, an indication of a customer selection of a  
product offered for sale by the vending machine;  
receiving, by the vending machine, an indication of an amount of funds provided  
by the customer;  
determining, after the receiving of the indication of the customer selection of the  
product, and by a processor of the vending machine, an alternate product offer rule  
associated with the selected product, wherein the alternate product offer rule comprises a  
rule that the selected product be associated with shelf life that is lower than a pre-defined  
minimum shelf life;

determining, by the processing device of the vending machine, that the alternate product offer rule is satisfied;

providing, to the customer and by the vending machine, an offer for an alternate product associated with the alternate product offer rule, instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

53-55. (Cancelled)

56. (Previously presented) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product that is associated with the lowest demand of all products offered for sale by the vending machine;

providing, to the customer and by the vending machine, an offer for the alternate product;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

57. (Previously presented) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product that is associated with the lowest remaining shelf life of all products offered for sale by the vending machine;

providing, to the customer and by the vending machine, an offer for the alternate product;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

58. (Cancelled)

59. (Previously presented) A computerized method of dispensing a substitute product from a vending machine that includes a processor, comprising:

detecting, by a motion detector of a vending machine, the presence of a purchaser;

receiving, by the vending machine, an amount of money from the purchaser;

measuring, by a processor of the vending machine, a time between the detection and the receipt of the amount of money from the purchaser;

receiving, by the processor of the vending machine, an indication of a selection, by the purchaser, of a first product;

determining, by the processor of the vending machine, a substitute product identifier corresponding to a substitute product associated with the first product;

offering the substitute product to the purchaser; and

dispensing the substitute product.

60. (Cancelled)